

STATE OF CONNECTICUT  
DEPARTMENT OF SOCIAL SERVICES  
OFFICE OF LEGAL COUNSEL, REGULATIONS, AND ADMINISTRATIVE  
HEARINGS  
55 FARMINGTON AVENUE  
HARTFORD, CT 06105-3730

██████████ 2022  
Signature Confirmation

Client ID # ██████████  
Case ID ██████████  
Request # 191598

**NOTICE OF DECISION**

**PARTY**

██████████  
██████████  
██████████

**PROCEDURAL BACKGROUND**

On ██████████ 2022, the Department of Social Services (the "Department") sent ██████████  
██████████ (the "Appellant") a Notice of Action granting her Supplemental Nutrition Assistance  
Program ("SNAP") benefits effective ██████████ 2022.

On ██████████ 2022, the Appellant requested an administrative hearing to contest the  
effective date of such benefits.

On ██████████ 2022, the Office of Legal Counsel, Regulations, and Administrative  
Hearings ("OLCRAH") issued a notice scheduling an administrative hearing for ██████████  
██████████ 2022.

On ██████████ 2022, in accordance with sections 17b-60, 17-61, and 4-176e to 4-189,  
inclusive, of the Connecticut General Statutes, OLCRAH held an administrative  
hearing via telephone at the Appellant's request due COVID-19 concerns.

The following individuals were present at the hearing:

██████████, Appellant  
Taneisha Hayes, Department's Representative  
Swati Sehgal, Hearing Officer

### **STATEMENT OF ISSUE**

The issue is whether the Department's decision to grant the Appellant's SNAP benefits effective ██████████ 2022, was correct.

### **FINDINGS OF FACT**

1. The Appellant received SNAP benefits for herself and her spouse as a household size of two. (Exhibit 2: W1ER, ██████████ 2021)
2. On ██████████ 2021, the Department received the Appellant's completed W1ER renewal form. (Exhibit 2: W1ER, Exhibit 13: Case Notes)
3. On ██████████ 2021, the Department reviewed the Appellant's completed W1ER form and issued the Interview Notice to the Appellant, notice gave the Appellant due date of ██████████ 2021, to complete the interview. (Department's Testimony, Exhibit 5: Interview Notice)
4. On ██████████ 2021, the Department issued W-1348, Proofs We Need Form requesting proof of self-employment income. The Department also listed acceptable proofs and attached W-38, Self-Employment Income Verification Form. The Department gave the Appellant a due date of ██████████ 2021. (Exhibit 3: Proof We Need Form; ██████████/21, Exhibit 13 and Hearing Summary)
5. On ██████████, 2021, the Appellant contacted the Department and completed the phone interview. (Exhibit 13, Hearing Summary)
6. On ██████████ 2021, the Department determined that the Appellant did not provide needed information to complete the renewal process. The Department closed the Appellant's SNAP benefits as of ██████████ 2022, and issued a Notice of Action stating, "Renewal Process not completed, does not meet program requirements." (Exhibit 6: Notice of Action, ██████████/21, Hearing Summary)
7. On ██████████ 2021, the Department received a utility bill and 2020 tax return document from the Appellant. (Exhibit 11: 2020 Tax Return, Hearing Summary, Exhibit 13)

8. On [REDACTED] 2022, the Department reviewed the information received from the Appellant and determined that 2020 tax document was insufficient information, the Department issued W-3016, Notification from Department of Social Services stating “2020 tax return is insufficient, 2021 tax return or business records are needed for self-employment proof.” (Exhibit 7: W-3016, Hearing Summary, Exhibit 13)
9. On [REDACTED] 2022, the Appellant contacted the Department’s Benefit Center inquiring on the status of her SNAP benefits. The Department advised her that she would need to submit a new SNAP application. (Exhibit 13, Hearing Summary)
10. On [REDACTED] 2022, the Appellant submitted an Online SNAP application along with her 2021 tax return forms. (Exhibit 8: Online Application, Exhibit 13)
11. On [REDACTED] 2022, the Department issued a Notice of Action granting the Appellant’s SNAP benefits, effective [REDACTED] 2022. (Exhibit 9: Notice of Action, [REDACTED]/22)
12. The Appellant is seeking SNAP benefits for the period of [REDACTED] 2022, through [REDACTED] 2022. (Appellant’s Testimony)
13. The issuance of this decision is timely under Title 7 of the Code of Federal Regulations (“C.F.R.”) § 273.15 (c) (1) which provides that within 60 days of receipt of a request for a fair hearing, the State agency shall assure that the hearing is conducted, a decision is reached, and the household and the local agency is notified of the decision. The Appellant requested an administrative hearing on [REDACTED] 2022, with this decision due no later than [REDACTED] 2022. (Hearing Record)

### **CONCLUSIONS OF LAW**

1. Section 17b-2 of the Connecticut General Statutes authorizes the Commissioner of the Department of Social Services to administer the SNAP in accordance with federal law.
2. Title 7 of the C.F.R § 273.2(c)(5) provides that the State agency shall provide each household at the time of application for certification and recertification with a notice that informs the household of the verification requirements the household must meet as part of the application process.

7 C.F.R. § 273.14(a) provides that no household may participate beyond the expiration of the certification period assigned in accordance with §273.10(f) without a determination of eligibility for a new period. The State agency must establish procedures for notifying households of expiration dates, providing application forms, scheduling interviews, and recertifying eligible households prior to the expiration of

certification periods. Households must apply for recertification and comply with interview and verification requirements.

**The Department correctly determined the Appellant must complete the recertification process and correctly sent the Appellant an application for recertification of her SNAP benefits. The Department correctly discontinued the Appellant's SNAP benefits effective [REDACTED] 2022, because she did not complete the SNAP recertification process.**

3. 7 C.F.R. § 273.14(b)(3) provides for recertification interviews. As part of the recertification process, the State agency must conduct an interview with a member of the household or its authorized representative at least once every 12 months for households certified for 12 months or less. The provisions of § 273.2(e) also apply to interviews for recertification.

7 C.F.R. § 273.2(e)(2) provides in part for telephone interviews and states the State agency may use a telephone interview instead of the face-to-face interview required in paragraph (e)(1) of this section for all applicant households, for specified categories of households, or on a case-by-case basis because of household hardship situations as determined by the State agency.

**The Appellant correctly contacted the Department on [REDACTED] 2021, to complete the required interview.**

4. 7 C.F.R. § 273.2(f)(1)(i) provides for mandatory verification of income. State agencies shall verify the following information prior to certification for households initially applying:
  - i. *Gross nonexempt income.* Gross nonexempt income shall be verified for all households prior to certification.

7 C.F.R. § 273.2(h)(i)(C) provides for in cases where verification is incomplete, the State agency must have provided the household with a statement of required verification and offered to assist the household in obtaining required verification and allowed the household sufficient time to provide the missing verification. Sufficient time shall be at least 10 days from the date of the State agency's initial request for the particular verification that was missing.

**The Department correctly determined that the Appellant was required to verify her spouse's income from self-employment.**

**The Department correctly advised the Appellant of the required verification and correctly issued a W-1348, Proof We Need Form on [REDACTED] 2021. The Department correctly allowed the Appellant ten days to provide the required information and correctly determined [REDACTED], 2021, due date.**



**The Appellant failed to provide requested information by due date of [REDACTED], 2021**

5. 7 C.F.R. § 273.14(e)(2) provides for in part for delayed processing. If a household files an application before the end of the certification period, but fails to take a required action, the State agency may deny the case at that time, at the end of the certification period, or at the end of 30 days. Notwithstanding the State's right to issue a denial prior to the end of the certification period, the household has 30 days after the end of the certification period to complete the process and have its application be treated as an application for recertification. If the household takes the required action before the end of the certification period, the State agency must reopen the case and provide a full month's benefits for the initial month of the new certification period. If the household takes the required action after the end of the certification period but within 30 days after the end of the certification period, the State agency shall reopen the case and provide benefits retroactive to the date the household takes the required action.

**The Appellant correctly filed her application for recertification on [REDACTED] 2021, before the [REDACTED] 2021, end of her certification period. The Department correctly allowed 30 days for the Appellant to fully complete the recertification process. The Department correctly discontinued the Appellants SNAP benefits effective [REDACTED], 2022, at the end of the certification period for not completing the recertification process.**

### **DISCUSSION**

The Appellant failed to provide verification of self-employment income for her spouse by the due date. The Appellant's argument is that she was asked to present her 2021 tax return in [REDACTED] 2021. The Department provided evidence showing that on [REDACTED], 2021, Department correctly informed the Appellant to provide either tax return documents or business record. The Department also sent the Appellant Self-Employment Income Verification Form along with W1348. The Department did not receive the required verification by the due date and closed the SNAP benefits effective [REDACTED] 2022. On [REDACTED] 2022, after the Department received 2020 tax forms from the Appellant, issued W-3016, Notification from DSS stating 2020 tax return document is insufficient and to provide 2021 tax documents or business records. The Appellant failed to provide such verifications and her SNAP remained closed. On [REDACTED] 2022, the Appellant contacted the Department, and was informed to reapply for SNAP with acceptable verification of self-employment. The Department received a new application with 2021 tax documents on [REDACTED] 2022, and correctly granted SNAP benefits effective [REDACTED] 2022.

**DECISION**

The Appellant's appeal is **DENIED.**

Swati Sehgal  
Swati Sehgal  
Hearing Officer

Musa Mohamud, SSOM, DSS, R.O.10, Hartford  
Josie Savastra, SSOM, DSS, R.O. 10, Hartford  
Jessica Carroll, SSOM, DSS, R.O. 10, Hartford  
Jay Bartolomei, FH Liaison Supervisor, DSS, R.O.10. Hartford  
Taneisha Hayes, Fair Hearing Liaison, DSS, R.O. 10, Hartford

### **RIGHT TO REQUEST RECONSIDERATION**

The appellant has the right to file a written reconsideration request within **15** days of the mailing date of the decision on the grounds there was an error of fact or law, new evidence has been discovered or other good cause exists. If the request for reconsideration is granted, the appellant will be notified within **25** days of the request date. No response within 25 days means that the request for reconsideration has been denied. The right to request a reconsideration is based on § 4-181a (a) of the Connecticut General Statutes.

Reconsideration requests should include specific grounds for the request: for example, indicate what error of fact or law, what new evidence, or what other good cause exists.

Reconsideration requests should be sent to: Department of Social Services, Director, Office of Administrative Hearings and Appeals, 55 Farmington Avenue Hartford, CT 06105.

### **RIGHT TO APPEAL**

The appellant has the right to appeal this decision to Superior Court within **45** days of the mailing of this decision, or **45** days after the agency denies a petition for reconsideration of this decision, provided that the petition for reconsideration was filed timely with the Department. The right to appeal is based on § 4-183 of the Connecticut General Statutes. To appeal, a petition must be filed at Superior Court. A copy of the petition must be served upon the Office of the Attorney General, 165 Capitol Avenue, Hartford, CT 06106 or the Commissioner of the Department of Social Services, 55 Farmington Avenue Hartford, CT 06105. A copy of the petition must also be served on all parties to the hearing.

The 45-day appeal period may be extended in certain instances if there is good cause. The extension request must be filed with the Commissioner of the Department of Social Services in writing no later than 90 days from the mailing of the decision. Good cause circumstances are evaluated by the Commissioner or the Commissioner's designee in accordance with § 17b-61 of the Connecticut General Statutes. The Agency's decision to grant an extension is final and is not subject to review or appeal.

The appeal should be filed with the clerk of the Superior Court in the Judicial District of New Britain or the Judicial District in which the appellant resides.

